

ALLEN BIAGGI, Administrator

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Administration
Facsimile 687-5856

Water Pollution Control
Facsimile 687-4684

Mining Regulations & Reclamation
Facsimile 684-5259

State of Nevada
KENNY C. GUINN
Governor



R. Michael Turnnspeed, Director

Waste Management
Corrective Actions
Federal Facilities

Air Quality
Water Quality Planning

Facsimile 687-6396

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL PROTECTION

333 W. Nye Lane, Room 138
Carson City, Nevada 89706
ndep.nv.gov

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the Amendment of Regulations of the
Nevada Division of Environmental Protection

The Administrator is proposing various changes to the regulations governing underground injection control, NAC 445A.810 to NAC 445A.925, inclusive. The Nevada Division of Environmental Protection (Division) will hold public hearings at the following locations to solicit comments from interested parties:

Carson City

Monday, April 19, 2004
10:00am – 12:00pm
Western Nevada Community College
Reynolds Center for Technology Room 103
2001 W. College Parkway
Carson City, Nevada

Henderson

Friday, April 23, 2004
1:00pm – 3:00pm
Henderson Convention Center
200 Water Street
Henderson, Nevada

Elko

Monday, April 26, 2004
10:00am – 12:00pm
Elko City Hall Council Chambers
1751 College Avenue
Elko, Nevada

Note: This notice is for electronic distribution.

The Underground Injection Control Program is designed to protect underground sources of drinking water by ensuring injection of fluids through a well do not degrade waters of the State. The proposed amendments to these regulations are necessary due to the conflicts with the federal rule 40 CFR 144, and the need to increase fees for the first time in fourteen (14) years to ensure the program is fiscally stable.

The proposed regulation changes primarily focus on three items:

1. Minor increases in permit fees for underground injection control permits;
2. Creation of new permit fee categories for general and individual permits to address current activities in the program;
3. Clarification on injection activities relating to treated effluent; and
4. Changing language to ensure the state regulation is as stringent as the federal rule for underground injection 40 CFR 144.

The proposed regulations will not have a significant economic impact, either immediate or long term, on the regulated industry and small businesses. The proposed regulation changes have beneficial effects for the regulated industry in that some permits will be regulated under a general permit instead of an individual permit at a cost and time savings. There will be no additional costs to the agency for enforcement of these amendments. The amended regulations do not include any new provisions, which are more stringent than federal regulations; and do not overlap or duplicate any regulations of other state or government agencies.

Persons wishing to comment or object to any of the Administrator's proposed regulation changes may do so by attending a workshop and making public comment, or submitting their comment, in writing, within thirty (30) days of the date of newspaper publication either in person or by mail to:

**Department of Conservation and Natural Resources
Division of Environmental Protection
Bureau of Water Pollution Control
Groundwater Protection Branch
333 West Nye Lane
Carson City, Nevada 89706-0851**

All comments or objections received within the thirty (30) day comment period will be considered in the formulation of final determinations regarding the proposed regulation changes. If the determinations of the Administrator are substantially changed from the tentative determinations, the Administrator will give public notice of the revised determinations. Additional comments and objections will be considered at that time.

The proposed changes to the regulations for the Underground Injection Control Program are:

1. Available on the NDEP website at <http://ndep.nv.gov/admin/public.htm>
2. On file and may be copied or copies may be obtained by writing to the above address or by calling Russ Land or Kelly Williams in the Bureau of Water Pollution Control at (775) 687-9428 or (775) 687-9420 respectively.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

Please bring the foregoing notice to the attention of all persons whom you know would be interested in this matter.

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify Kelly Williams no later than 5 business days before the workshop you plan to attend.

This Notice of Intent has been posted at the following locations:

Nevada State Library
100 North Stewart Street
Carson City, NV 89701

Division of Environmental Protection
333 West Nye Lane
Carson City, NV 89706
Division of Environmental Protection
1771 East Flamingo Road Suite 121-A
Las Vegas, Nevada 89119